

To: "Kiger, Luana - Davis, CA" [Luana.Kiger@ca.usda.gov]
Cc: []
Bcc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Fri 2/1/2013 5:31:42 PM
Subject: Here you go. A little late.
pidlof@usbr.gov

I was actually out in the Delta yesterday, and didn't pick up messages until late.

Here's Patti's contact info:

Patti Idlof
Chief, Conservation and Conveyance Division
Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814
Office: (916) 414-2404
Cell: (916) 992-3566
pidlof@usbr.gov

And I must admit I am still baffled by this project. The EIS is apparently going to be a hybrid that analyzes everything at the programmatic level EXCEPT for the twin tunnels that will be analyzed at the site specific level.

The HCP itself is going to be equally fascinating, but I've never seen it. I think there is enough case law on HCPs to suggest that you can't just have a programmatic plan and still get an HCP permit, but it's unclear what that will mean in this context. Whenever I ask about such things, I'm usually told "Yes, that is an interesting question. We're working through that."

So the documents will be interesting. Or at least as interesting as 17,000 pages can be.

Tom Hagler
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street, RC-2
San Francisco, California 94105-3901
Phone: (415) 972-3945
Email: hagler.tom@epamail.epa.gov